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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,390	10/17/2003	Darren Saravis	70288.020800	1292
33717	7590	07/06/2006	EXAMINER	
GREENBERG TRAURIG LLP 2450 COLORADO AVENUE, SUITE 400E SANTA MONICA, CA 90404			TRAN, HANH VAN	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/688,390	Applicant(s) SARAVIS, DARREN	
	Examiner Hanh V. Tran	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/17/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the Final Office Action from the examiner in charge of this application in response to applicant's amendment dated 4/6/2006.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-14, and 17-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In each of the independent claims, the recitation of "in an assembled state, said catch snaps into engagement with a latch of an adjacent corner cover", and subsequently within the claim, the recitation of the corner cover being connected together renders the claim indefinite, since it is not clear whether how the catch of one corner cover snaps into engagement with an adjacent corner cover and then being connected with another corner cover within the same claim. Should applicant elect to amend the claim in order to obviate this rejection, then "said catch snaps into engagement with a latch of an adjacent corner cover" should be "said catch is adapted to snap into engagement with a latch of an adjacent corner cover". In claim 8, since there is only one panel being claim in claim 7, the limitation "said panel is substantially the same size and shape" in claim 8 renders the claim indefinite for failing to clearly define the metes and bounds of the claimed invention for not properly define the panel being the same size and shape as or with what element.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-14, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 3,856,147 to Piretti in view of USP 3,288,301 to Kent et al and USP 4,253,268 to Mayr.

Piretti discloses a snap together connection system comprising all the elements recited in the above listed claims including, such as shown in Fig 4, a plurality of corner covers each having a latch with an enlarged head 6 with a flattened surface formed thereon, an elongated catch with flexible slot walls 3 formed thereon, wherein the elongated catch and latch extend at a fixed angle relative to each other; through which the first corner cover and the second corner cover are connected together by snapping the elongated latch of either the first corner cover or the second corner cover into the elongated catch of the other cover corner, and a straight connector being defined as one of the panels; wherein the corner covers are made of a metallic material. The differences being that Piretti does not disclose the catch of the first corner cover snaps

into engagement with the latch of the second corner cover in the transverse direction of the elongated deformable slot walls of said catch.

However, Kent et al teaches that it is well known in the art to make a connector from either a metallic or plastic material, with it is inherent that with the connector being made of plastic material, then the catch walls would be easily deformable. Mayr further teaches that it is well known in the art to have a connector being made of a plastic material; wherein the connector comprises a latch and catch connection; wherein the catch of a first panel snaps into engagement with the latch of a second panel in the transverse direction of the deformable slot walls of said catch for the purpose of providing an easy engagement/disengagement between the catch of the first panel to the latch of the second panel. Therefore, it would have been obvious to modify the structure of Piretti by having the corner cover being made of a plastic material such that the catch walls would be easily deformable, as taught by Kent et al, and since the corner cover being made of a plastic material, it would have been obvious that the catch of the first corner cover of Piretti, as modified, can snap into engagement with the latch of the second corner cover in the transverse direction of the deformable slot walls of the catch for the purpose of providing an easy engagement/disengagement between the latch and catch of the first corner cover and the second corner cover, as taught by Mayr, since the references each teach alternate conventional panel connection structure, used for the same intended purpose of connecting one panel to another, thereby providing structure as claimed.

Response to Arguments

7. Applicant's arguments with respect to claims 10, and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVT *HVT*
June 23, 2006

LANNA MAI
SUPERVISORY PATENT EXAMINER
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Lanna Mai